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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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APR 6 - 1998

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

In the Matter of)

Petition of Ameritech Corporation)
to Remove Barriers to Investment in)
Advanced Telecommunications Capability)

CC Docket No. 98-32

COMMENTS OF
SBC COMMUNICATIONS INC.

SBC Communications Inc., on behalf of itself and its affiliates including its incumbent local exchange carrier subsidiaries that are Bell Operating Companies ("BOCs") (collectively, "SBC"), respectfully files these Comments regarding the above-captioned petitions of Bell Atlantic, U S WEST, and Ameritech ("Petitioners"). SBC supports each of the petitions, and urges the Commission to act expeditiously to eliminate the regulatory barriers that continue to discourage and slow -- if not effectively prohibit -- the deployment of advanced telecommunications capability by not only the Petitioners, but incumbent local exchange carriers ("LECs") and BOCs in general.

Comments of SBC Communications Inc.
April 6, 1998

CC Docket Nos.
98-11, 98-26, and 98-32

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Each of the petitions is based upon section 706 of the Telecommunications Act of 1996,¹ which requires the Commission to "encourage" the accelerated deployment of high-speed, broadband communications capability for "all Americans" by taking deregulatory action.² The petitions accurately note, two full years after the Act was passed, the extremely slow pace at which such capabilities and associated services are becoming available in the United States. For example, Bell Atlantic demonstrates the lack of availability of high-speed broadband capability and services as expressed by some of our country's leading institutions of higher learning.³ U S WEST similarly documents the lack of sufficient Internet backbone facilities in its region, and particularly in the rural areas it serves.⁴

Each of the Petitioners ably make the case that regulatory prohibitions and limitations substantially dampened -- if not eliminate -- their ability and incentives to invest in and deploy the required advanced network capabilities that would help achieve the Congressional objective set forth in section 706.⁵ Freed from those prohibitions and limitations, U S WEST notes that it would expand its data offerings in a way that will increase the services available to the public

¹ Pub. L. No. 104-104; 110 Stat. 56 (1996) ("Act").

² Bell Atlantic Petition, p. 1.

³ See Bell Atlantic Petition, Attachment 3 (letters from Boston University, Brown University, University of Maine, Virginia Polytechnic Institute and State University, and West Virginia University).

⁴ U S WEST Petition, pp. 8-24.

⁵ See, e.g., Bell Atlantic Petition, pp. 12-19; U S WEST Petition, pp. 26-36; Ameritech Petition, pp. 8-22.

and enhance the ability of all information service providers to offer advanced services while also enabling competitive providers of data telecommunications to use U S WEST's underlying transmission facilities.⁶ Ameritech states that it is "ready and willing" to invest more in high-speed data infrastructure once the needed regulatory relief is granted to permit such investment and lower the associated financial risks.⁷

Section 706(a) commands the Commission to "encourage the deployment on a reasonable and timely basis of advanced telecommunications capability to all Americans," and gives the Commission the authority to eliminate barriers that hinder the investment needed to achieve that objective. The Commission thus can and should promptly address this situation through specific deregulatory measures as authorized by section 706. First, it should fully deregulate packet-switched and cell-switched services in order to facilitate widespread deployment of high-speed broadband services. Second, the Commission should permit BOCs to provide high-speed broadband services without regard to LATA boundaries. Third, it should permit all incumbent LECs to provide high-speed broadband services free from retail and wholesale pricing restrictions and unbundling obligations designed and currently in effect for voice traffic. For example, incumbent LECs should not be required to unbundle any advanced infrastructure deployed to provide high-speed data. Fourth, the Commission should allow incumbent LECs to sell such high-speed data services outside of the otherwise applicable price cap and structural

⁶ See, e.g., U S WEST Petition, pp. 1, 41-44.

⁷ Ameritech Petition, p. 30.

separation rules. Finally, the Commission should confirm that an affiliate of an incumbent LEC that satisfies applicable structural separation requirements is not itself an incumbent LEC for purposes of section 251(c).

Each of the petitions should be granted as quickly as possible, and identical generic relief should be simultaneously provided to all incumbent LECs and BOCs. Moreover, because each of the petitions appears to be premised on the specific high-speed data plans of the requesting party, the Commission should be willing to act promptly on any other section 706 petition that may seek additional relief to accommodate other plans for data infrastructure investment.

Respectfully submitted,


SBC COMMUNICATIONS INC.

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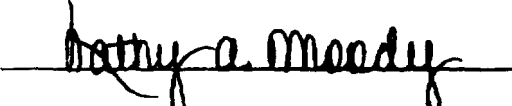
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April 6, 1998

CERTIFICATE OF SERVICE

I, Kathy A. Moody, hereby certify that the "Comments of SBC Communications, Inc." in CC Docket 98-32 have been served on April 6, 1998, to the Parties of Record.


Kathy A. Moody

April 6, 1998

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